

REMARKS/ARGUMENTS

In the Advisory Action dated July 23, 2010, the Examiner raised two issues regarding Applicants' claim amendments. First, the Examiner questioned whether the phrase "substantially fills" in amended claim 34 is new matter. Second, the Examiner questions whether there is support in the specification for the term "entirely" in amended claim 1. Applicants submit that the Specification as filed supports the Amendments previously submitted on July 12, 2010. Thus, the Amendments submitted on July 12, 2010 should be entered and the pending claims allowed.

"Substantially fills" is not new matter.

New claim 34 recites "the main insulating material substantially fills any space between said containers containing phase-change material and the flexible outer case."

As disclosed in the present specification, "the present invention provides a device for thermally insulating at least one undersea pipe including a phase-change material. ... The insulating device is easy to manufacture, in particular in terms of filling the insulating phase-change material in such a manner that eliminates, or at least reduces, any risk of creating voids or pockets of gas in the volume to be filled between the pipe and the outer case." (Specification as filed at p. 9, ll. 22-32) (emphasis added). Further, "prior to injecting the fluid main insulating material 33, the segment is advantageously evacuated so as to avoid leaving any residual pockets of gas." (Specification as filed at p. 40, ll. 30-32). The outer case is completely filled with a main insulating material 33, and the gaps between the containers 32 and the syntactic shells 34 are there to make it easier to fill completely all of the residual space inside the case 2. Since the outer case 2 is deformable, it can deform without significantly increasing its internal pressure

compared with the pressure at the sea bottom. (Specification as filed at p. 37, ln. 33 et seq.). It is clear from the disclosure that voids in the insulating material should be eliminated or reduced. However, it is recognized that some voids or pockets may still be present.

The word substantially is defined as “to a great or significant extent”. (http://www.oxforddictionaries.com/view/entry/m_en_us1295389#m_en_us1295389). A copy of the definition is attached. Thus, to “substantially fills” means to fill to a great extent, e.g., almost completely.

Claim 34 is drafted to account for any voids or pockets in the main insulating material between the containers containing the phase-change material and the flexible outer case. Thus, “substantially fills” is supported by the specification and does not constitute new matter.

The term “entirely” is supported by the specification.

Amended claim 1 recites, inter alia, “each of the pre-fabricated containers being entirely filled with the phase-change material and each of the pre-fabricated containers.” The Examiner asserts that the term “entirely” is not supported by the present specification. Applicants disagree.

The present specification is replete with examples of the containers being “completely filled” with phase change material. (Specification as filed at p. 9, ll. 22-36; p. 13, ln. 25-p. 14, ln. 16; and p. 26, ll. 1-9 and 19-21). Further, each of the figures depicts the containers being entirely or completely filled with phase change material.

The word completely is defined in Webster's Revised Unabridged Dictionary as “In a complete manner; fully.” (<http://www.dictionary.net/completely>). A copy of the definition is attached. Similarly, The word “entirely” is defined in Webster's Revised Unabridged Dictionary

as "In an entire manner; wholly; completely; fully." (<http://www.dictionary.net/entirely>). A copy of the definition is attached. The words "entirely" and "completely" are synonyms and therefore can be used interchangeably. Thus, claim 1, as amended, is supported by the specification as filed.

Conclusion

Applicants have responded to all of the rejections and objections recited in the Office Action and Advisory Action. Reconsideration and a Notice of Allowance for all of the pending claims are therefore respectfully requested. If the Examiner believes an interview would be of assistance, the Examiner is encouraged to contact the undersigned at the number listed below.

It is believed that no fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

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Respectfully submitted,
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substantially (sub·stan·tial·ly)

Pronunciation: /səb'stanCHəlē/

adverb

1 to a great or significant extent:

profits grew substantially

[as submodifier]:

substantially higher earnings

2 for the most part; essentially:

things will remain substantially the same over the next ten years



completely

Search

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Completely \Com"plete\ly, adv. In a complete manner; fully. [1913 Webster]

Source: The Collaborative International Dictionary of English v.0.48

85 Moby Thesaurus words for "completely": a outrance, absolutely, all out, altogether, and sinker, at length, beyond all bounds, beyond compare, beyond comparison, beyond measure, categorically, clearly, comprehensively, dead, downright, en masse, entirely, essentially, exactly, exhaustively, explicitly, expressly, extremely, faultlessly, flat out, flatly, flawlessly, fully, fundamentally, globally, heart and soul, hook, hundred per cent, ideally, immaculately, immeasurably, impeccably, in and out, in detail, in extenso, in full, in full measure, in particular, in the extreme, in toto, incalculably, inclusively, indefinitely, infallibly, infinitely, inside out, integrally, just right, largely, line, lock, minutely, most, one and all, outright, particularly, perfectly, precisely, purely, quite, radically, root and branch, roundly, specifically, spotlessly, stock, thoroughly, through-and-through, to the hilt, totally, tout a fait, truly, unambiguously, unconditionally, unequivocally, unreservedly, up and down, utterly, wholly, with a vengeance

Source: Moby Thesaurus II by Grady Ward, 1.0

completely ad

verb

1: to a complete degree or to the full or entire extent ('whole' is often used informally for 'wholly'); "he was wholly convinced"; "entirely satisfied with the meal"; "it was completely different from what we expected"; "was completely at fault"; "a totally new situation"; "the directions were all wrong"; "it was not altogether her fault"; "an altogether new approach"; "a whole new idea" [syn: wholly, entirely, totally, all, altogether, whole] [ant: partially]

2: so as to be complete; with everything necessary; "he had filled out the form completely"; "the apartment was completely furnished"

Source: WordNet (r) 2.0

Completely \Com*plete"ly\, adv. In a complete manner; fully.

Source: Webster's Revised Unabridged Dictionary (1913)

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Entirely \En*tire"ly\, adv.

1. In an entire manner; wholly; completely; fully; as, the trace is entirely lost. [1913 Webster]

Euphrates falls not entirely into the Persian Sea. --Raleigh. [1913 Webster]

2. Without alloy or mixture; truly; sincerely. [1913 Webster]

To highest God entirely pray. --Spenser. [1913 Webster]

Source: The Collaborative International Dictionary of English v.0.48

81 Moby Thesaurus words for "entirely": absolutely, across the board, all, all out, all put together, alone, altogether, as a body, as a whole, at large, bodily, but, clearly, collectively, completely, comprehensively, corporately, definitely, en bloc, en masse, exclusively, exhaustively, faultlessly, flawlessly, fully, globally, hundred per cent, ideally, immaculately, impeccably, in a body, in all, in all respects, in bulk, in every respect, in full, in full measure, in its entirety, in the aggregate, in the gross, in the lump, in the mass, in toto, inclusively, infallibly, inside out, integrally, irreducibly, just right, largely, lock, merely, on all counts, one and all, only, outright, perfectly, plumb, positively, purely, quite, root and branch, roundly, simply, solely, spotlessly, thoroughly, to a T, to the hilt, totally, tout a fait, tout ensemble, unambiguously, unanalyzably, unconditionally, undividedly, unequivocally, unreservedly, utterly, wholly, without exception

Source: Moby Thesaurus II by Grady Ward, 1.0

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verb

1: to a complete degree or to the full or entire extent ('whole' is often used informally for 'wholly'); "he was wholly convinced"; "entirely satisfied with the meal"; "it was completely different from what we

expected"; "was completely at fault"; "a totally new situation"; "the directions were all wrong"; "it was not altogether her fault"; "an altogether new approach"; "a whole new idea" [syn: wholly, completely, totally, all, altogether, whole] [ant: partially]
2: without any others being included or involved; "was entirely to blame"; "a school devoted entirely to the needs of problem children"; "he works for Mr. Smith exclusively"; "did it solely for money"; "the burden of proof rests on the prosecution alone"; "a privilege granted only to him" [syn: exclusively, solely, alone, only]

Source: WordNet (r) 2.0

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1. In an entire manner; wholly; completely; fully; as, the trace is entirely lost.

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